

RENTON CITY COUNCIL
Regular Meeting

July 14, 2008
Monday, 7 p.m.

Council Chambers
Renton City Hall

MINUTES

CALL TO ORDER

Mayor Denis Law called the meeting of the Renton City Council to order and led the Pledge of Allegiance to the flag.

**ROLL CALL OF
COUNCILMEMBERS**

Marcie Palmer, Council President; Greg Taylor; Rich Zwicker; Terri Briere; King Parker; Don Persson. MOVED BY PALMER, SECONDED BY ZWICKER, COUNCIL EXCUSE ABSENT COUNCILMEMBER RANDY CORMAN. CARRIED.

**CITY STAFF IN
ATTENDANCE**

DENIS LAW, Mayor; JAY COVINGTON, Chief Administrative Officer; LAWRENCE J. WARREN, City Attorney; BONNIE WALTON, City Clerk; GREGG ZIMMERMAN, Public Works Administrator; ALEX PIETSCH, Community and Economic Development Administrator; TERRY HIGASHIYAMA, Community Services Administrator; IWEN WANG, Finance and Information Services Administrator; PETER HAHN, Deputy Public Works Administrator - Transportation; MARTY WINE, Assistant CAO; GERALD RERECICH, Recreation Director; PREETI SHRIDHAR, Communications Director; KRISTINE STIMPSON, Recreation Manager; VINCENT ORDUNA, Cultural Arts Coordinator; DEPUTY CHIEF BILL FLORA, Fire Department; COMMANDER FLOYD ELDRIDGE, Police Department.

SPECIAL PRESENTATION
Community Services: "Once
Upon a Mattress" Teen
Musical Performance Excerpts

Kristine Stimpson, Recreation Manager, introduced Cultural Arts Coordinator Vincent Orduna who announced that Renton's annual 2008 summer teen musical, "Once Upon a Mattress," will run from July 25 through August 10 at Carco Theatre. He introduced performers Amanda Valdez, David Palmer, and Britne Lunnis who entertained the audience with two sample numbers from the show.

PUBLIC HEARING
Transportation: 2009-2014 TIP

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Law opened the public hearing to consider the annual update of the Six-Year Transportation Improvement Program (TIP), 2009-2014.

Peter Hahn, Deputy Public Works Administrator - Transportation, reported that the TIP details a multi-year work and funding plan for the development of transportation facilities required for State and Federal funding programs, used to coordinate projects and programs with other jurisdictions, and mandated by State law. He stated that the TIP supports Renton's Business Plan, Comprehensive Plan, and the Growth Management Act.

Continuing, Mr. Hahn highlighted the accomplishments of the past year, which includes completing the SR-169 HOV Queue Jump Phase 2 project, replacing the bridges at Rainier, Hardie, and Shattuck avenues, installing new concrete panels along railroad tracks on Houser Way S., completing signal projects at Benson Rd. S./S. 31st St. and Hoquiam Ave. NE/NE 4th St., and completing the South Lake Washington Roadway improvements. Mr. Hahn also highlighted projects started in the past year, including the signal project at NE Sunset Blvd. (SR 900)/Hoquiam Ave. NE, the new bike lane on Logan Ave. N., new sidewalks on Jones Ave. NE, and the railroad track relocation for the SW 27th St./Strander Blvd. Phase I, Segment 2a project.

Mr. Hahn stated that the total expenditure for the 2009-2014 TIP is \$107,347,869, of which \$52,514,306 is funded and \$54,833,563 is unfunded. He noted that the Transportation (Aviation) Committee requested an additional \$50,000 for the maintenance of alleyways. In conclusion, he reviewed the various funding sources, options for unfunded needs, the impact of rising fuel costs, and the installation of cameras at intersections to improve safety and traffic flow.

Public comment was invited.

Arland "Buzz" Johnson (Renton) opined that there should be bus lanes entrances and exits to freeways and asked for bus route improvements within the City. Mr. Hahn responded by reviewing various mass transit projects that Renton supports. **MOVED BY PARKER, SECONDED BY PERSSON, COUNCIL CLOSE THE PUBLIC HEARING. CARRIED.**

ADMINISTRATIVE REPORT

Chief Administrative Officer Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2008 and beyond. Items noted included:

- ✱ Come visit the Renton Farmers Market every Tuesday through September 16 from 3 to 7 p.m. in the Downtown Piazza Park. The 2008 market has a wide array of 50 vendors and has enjoyed record-setting crowds. This week's featured Chef Demonstration is from Greenfresh Market, and there will also be a Kids Talent Show. Also, a big thank you to the market vendors who have shown their community spirit by donating 500 pounds of food to the Salvation Army Food Bank.
- ✱ The Honey Creek Ridge Homeowners' Association will hold their annual picnic on Wednesday, July 16, from 5:30 to 8 p.m., located off of Olympia Ave. NE and NE 21st St. The LaCrosse Homeowners' Association will hold their annual neighborhood picnic on Thursday, July 17, from 6 to 8 p.m., located at NE 36th St. and Monterey Ct. NE.

AUDIENCE COMMENT

Citizen Comment: Conner -
Title IV Docket, Helipads

Charlie Conner (Renton) read a prepared statement responding to concerns from citizens opposed to a proposed ordinance regarding helipads as an accessory use with a conditional use permit in the Residential 8 (R-8) zone. **MOVED BY BRIERE, SECONDED BY PALMER, COUNCIL ALLOW THE SPEAKER TWO MORE MINUTES FOR HIS COMMENTS. CARRIED.**

Citizen Comment: Airis -
Title IV Docket, Helipads

Sheila Airis (Renton) opined that Mr. Conner had broken laws and regulations by flying and maintaining a helicopter at his residence. She submitted signatures via the City Clerk of residents opposing the proposed ordinance.

Citizen Comment: Young -
Title IV Docket, Helipads

Gary Young (Renton) voiced support for the proposed ordinance and commented that the infrequent helicopter noise is less than that heard from boats and seaplanes.

Citizen Comment: Shure -
Title IV Docket, Helipads

Chuck Shure (Renton) requested that flights be restricted to civil daylight hours or from 7 to 10 p.m., whichever is more restrictive. He also suggested that aircraft be insured at a minimum of \$10 million for risk management purposes.

Citizen Comment: Johnson -
Bus Stops

Arland "Buzz" Johnson (Renton) displayed a map of downtown bus stops and requested that another stop be located closer to the Renton library.

Citizen Comment: Simpson - Title IV Docket, Helipads	Anne Simpson (Renton) read from a prepared statement regarding Mr. Conner's qualifications, certifications and safety record. She also stated that there would be more noise over the Kenndale area if the airport was used, and that the FAA supports the helipad.
Citizen Comment: Rosling - Title IV Docket, Helipads	<p>Joanie Rosling (Renton) read from a prepared statement regarding her opposition to the proposed ordinance. She also read an excerpt from a report from the Muckleshoot Indian Tribe that recommended restricting the placement of helipads. MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL ALLOW THE SPEAKER TWO MORE MINUTES FOR HER COMMENTS. CARRIED.</p> <p>Continuing, Ms. Rosling commented that the Hearing Examiner's decision stated that adopting the ordinance would be capricious and arbitrary.</p>
Citizen Comment: Ritwalo - Title IV Docket, Helipads	Randy Ritwalo (Renton) voiced support for the proposed ordinance and opined that the helicopter noise is not a nuisance to residents or wildlife.
Citizen Comment: Kapetan - Title IV Docket, Helipads	Victoria Kapetan (Renton) played an audio recording of helicopter noises while addressing Council. She expressed opposition to the proposed ordinance and inquired about permitting, safety, and insurance requirements regarding aircraft in residential neighborhoods.
Citizen Comment: Winter - Title IV Docket, Helipads	Roger Winter (Renton) voiced support for the proposed ordinance and opined that the helicopter noise is not a nuisance to residents or wildlife.
Citizen Comment: Pritchard - Title IV Docket, Helipads	Marc Pritchard (Renton) spoke in favor of the proposed ordinance and stated that he believes the aircraft is operated in a safe manner and the City and FAA will be monitoring. He noted that neighborhood landscape services are routinely louder than Mr. Conner's helicopter.
Citizen Comment: Spouse - Title IV Docket, Helipads	Peter Spouse (Renton) expressed support for the proposed ordinance and stated that the noise is minimal. He also opined that the aircraft has been operated in a safe manner and only across the water.
Citizen Comment: Fix - Title IV Docket, Helipads	Monica Fix (Renton) voiced support for the proposed ordinance. She stated that she sells aircraft and is very conscious of safety. She believes the aircraft has always been operated in a safe manner, and suggested the some of the recorded noise played earlier may not be from a helicopter.
Citizen Comment: Porter - Title IV Docket, Helipads	Steve Porter (Renton) expressed support for the proposed ordinance and stated that he is a property rights advocate. He suggested that residents in the neighborhood could be mistaking news helicopters for Mr. Conner's aircraft.
Citizen Comment: Boswell - Title IV Docket, Helipads	<p>Kirby Boswell (Renton) inquired about restricting helicopter models to reduce noise. He also asked if landings and approaches are required to be conducted over water only.</p> <p>MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL SUSPEND THE RULES AND ADVANCE TO THE PLANNING AND DEVELOPMENT COMMITTEE REPORT REGARDING HELIPADS IN THE R-8 ZONES. CARRIED.</p>

**Planning & Development
Committee**

Planning: Title IV
(Development Regulations)
Docket Review

Planning and Development Committee Chair Parker presented a report recommending that the proposed zoning text amendment be modified to allow helipads as a permitted accessory use in the R-8 zone, subject to the following conditions:

1. There shall be only one aircraft use per single family residence.
2. The use shall be limited to properties abutting Lake Washington with a minimum lake frontage of 75 feet as measured at the ordinary high water mark.
3. The weight of the aircraft in use on the site shall not exceed 6,000 pounds.
4. The helipad shall be approved by the Federal Aviation Administration (FAA), documented with a letter stating "no objection" or "no objection if certain conditions are met" for the establishment of the helipad site as the result of an FAA Aeronautical Study. If the FAA approval states "no objection if certain conditions are met," the property owner shall maintain documentation that the conditions have been met and shall obtain the proper permits or approvals to meet those conditions, if required by federal, state, or local regulation. Under no circumstances shall a helipad be permitted if the result of the FAA Aeronautical Study is "objectionable."
5. The helipad shall be approved by the FAA for arrivals and departures from the water side only.
6. Arrival or departure of the aircraft shall occur between 7:00 a.m. and 10:00 p.m. except in the case of emergency. A flight log shall be kept to document the time of all flights arriving or departing from the helipad.
7. Documentation of compliance with the above conditions shall be provided to the City by the property owner, at the property owner's expense, at the City's request.

The Committee recommends that the ordinance regarding this matter be presented for first reading. In addition, the Committee recommends that the existing allowed helipad use in the IL, IM, IH, CA, CO, COR, and UC-N2 zones be referred to the Title IV Docket for review and possible amendments.*

Councilmember Parker stated that the size of the aircraft is restricted to reduce noise, the allowed flight times coincide with the City's noise ordinance, and other types of aircraft are allowed without restriction.

*MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 235 for ordinance.)

RECESS

MOVED BY TAYLOR, SECONDED BY ZWICKER, COUNCIL RECESS FOR FIVE MINUTES. CARRIED. TIME: 8:33 p.m.

The meeting was reconvened at 8:39 p.m.; roll was called; all Councilmembers present except Corman previously excused.

CONSENT AGENDA

Items on the consent agenda are adopted by one motion which follows the listing.

Council Meeting Minutes of
July 7, 2008

Approval of Council meeting minutes of July 7, 2008. Council concur.

CAG: 08-090, White Fence Ranch Sanitary Sewer Extension, Shoreline Construction

City Clerk submitted bid opening on 7/1/2008 for CAG-08-090, White Fence Ranch Sanitary Sewer Extension, fifteen bids; engineer's estimate \$1,303,826.39; and submitted staff recommendation to award the contract to low bidder, Shoreline Construction, Inc., in the amount of \$1,071,007.84. Council concur.

CAG: 08-089, Renton Highlands 565 Zone Water Main Improvements, Buno Construction

City Clerk submitted bid opening on 7/2/2008 for CAG-08-089, Renton Highlands 565 Zone Water Main Improvements, five bids; engineer's estimate \$1,763,352.95; and submitted staff recommendation to award the contract to low bidder, Buno Construction, LLC, in the amount of \$983,263.39. Council concur.

Annexation: Earlington, Reduction of Processing Fee

City Clerk submitted a letter from Ronald F. Minter requesting reduction of the annexation processing fee from \$2,500 to \$1,250 for the proposed Earlington Annexation; a 100 acre area located in the vicinity of SW Langston Rd. and Taylor Ave. NW. Refer to Planning & Development Committee.

Fire: Injury Prevention Programs Mini-Grant, King County

Fire and Emergency Services Department recommended approval of a contract with King County to accept \$8,407 for injury prevention programs. Council concur. (See page 235 for resolution.)

Police: Lateral Police Officers Hire at Step D

Police Department requested authorization to hire two lateral police officers at Step D of the salary range, effective August 1 and September 2, 2008, respectively. Council concur.

Utility: 2008 Wastewater Capital Improvement Program Funding Adjustments

Utility Systems Division recommended approval of an amendment to the 2008 Wastewater Capital Improvement Program to increase funding of the White Fence Ranch Sanitary Sewer Extension project by \$300,000 and reduce the Stonegate II Lift Station project by \$300,000. Council concur.

MOVED BY PALMER, SECONDED BY ZWICKER, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.

UNFINISHED BUSINESS **Utilities Committee**

CAG: 91-083, Boundary Agreement, Soos Creek Water & Sewer District

Utilities Committee Chair Zwicker presented a report recommending concurrence in the staff recommendation to approve the 2008 addendum to the 1991 Boundary Agreement with Soos Creek Water and Sewer District to allow for the adjustment of the existing boundary between the City and the District, and to allow the District to connect a small portion of its service area into the City's system in exchange for a portion of the District's General Facility Charge funds. The Committee further recommended that the resolution regarding this matter be presented for reading and adoption. MOVED BY ZWICKER, SECONDED BY TAYLOR, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED. (See page 235 for resolution.)

Finance Committee

Utility: Surface Water Billing Adjustments, Benson Hill Communities Annexation Area

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to approve billing non-profit organizations in the Benson Hill Annexation area at the King County Surface Water Management rate in 2008 and then bill them at the approved City Surface Water Utility rate starting in 2009. MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: Bad Debt Write-Off

Finance Committee Chair Persson presented a report regarding bad debt write-off. The Finance and Information Services Department submitted to the Committee a list of bad debts totaling \$41,462.21. The Department and the City's collection agency have attempted to collect these debts for over 12 months without success. This total amount of bad debts consists of uncollectible accounts for various reasons, including bankruptcy, closed businesses, adjustments and waived accounts. The Finance Committee recommended approval to write off the total bad debt of \$41,462.21 and to authorize the necessary accounting adjustments to remove these debts as owing on the City's financial records.*

Councilmember Persson stated that the write-off was for bookkeeping purposes only. He clarified that the City continues to attempt to collect these debts.

***MOVED BY PERSSON, SECONDED BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.**

Finance: Business License Fee & Revocation Revisions

Finance Committee Chair Persson presented a report recommending concurrence in the staff recommendation to approve changes to the business license fee reporting period as follows:

1. Business license fees are due one month following the last day of the reporting period.
2. A business license shall expire on the last day of the following month of its reporting period.
3. Any payment not made before one month following the due dates shall be cause for automatic revocation of the business license.
4. Failure to pay the license fee within one day after the day on which it is due shall render the business enterprise subject to monetary penalty.

The Committee further recommended that the ordinance regarding this matter be presented for first and second reading. **MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.** (See later this page for ordinance.)

Finance: Vouchers

MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL APPROVE THE VOUCHERS AS PRESENTED AT THE FINANCE COMMITTEE MEETING. CARRIED.

RESOLUTIONS AND ORDINANCES**Resolution #3956**

Fire: Injury Prevention Programs Mini-Grant, King County

The following resolutions were presented for reading and adoption:

A resolution was read authorizing the Mayor and City Clerk to enter into a contract with King County regarding reimbursement to Renton Fire and Emergency Services Department for injury prevention programs and efforts. **MOVED BY TAYLOR, SECONDED BY BRIERE, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.**

Resolution #3957

CAG: 91-083, Boundary Agreement, Soos Creek Water & Sewer District

A resolution was read authorizing the Mayor and City Clerk to enter into the 2008 amendment to the 1991 boundary agreement with Soos Creek Water and Sewer District relating to the minor service area boundary adjustment and to allow the district to connect a small portion of lots to the City's service area. MOVED BY ZWICKER, SECONDED BY TAYLOR, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinances were presented for first reading and referred to the Council meeting of 7/21/2008 for second and final reading:

Finance: Business License Fees & Revocation Revisions

An ordinance was read amending Chapter 5, Business Licenses, of City Code, by revising the time period for collection of business license fees, accrued penalties and revocation of licenses. MOVED BY PERSSON, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 7/21/2008. CARRIED.

Planning: Development Regulations (Title IV) Docket Review

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations), of City Code, to amend use regulations in the Residential 8 (R-8) zone to allow helipads as accessory to a primary use with a conditional use permit. MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 7/21/2008. CARRIED.

Fire: 2006 International Fire Code Adoption

An ordinance was read amending Chapter 5, Building & Fire Prevention Standards, and Chapter 11, Definitions, of Title IV (Development Regulations), of City Code, to adopt the 2006 International Fire Code, and to amend the definitions of medical institutions and vehicle fueling stations. MOVED BY TAYLOR, SECONDED BY BRIERE, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 7/21/2008. CARRIED.

The following ordinance was presented for second and final reading and adoption:

Ordinance #5400

CED: Multi-Family Housing Property Tax Exemption Modifications

An ordinance was read amending Chapter 1, Administration and Enforcement, of Title IV (Development Regulations), of City Code, by modifying the designated residential targeted areas, implementing the provisions of House Bill 1910, incorporating affordable housing, and modifying project eligibility and fees. MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

Ordinance #5401

Planning: Development Regulations (Title IV) Docket Review

An ordinance was read amending Chapter 2, Zoning Districts - Uses and Standards, of Title IV (Development Regulations), of City Code, to add regulations regarding the required location for parking for properties that abut an alley in the Residential 8 (R-8) single family residential zoning designation. MOVED BY PARKER, SECONDED BY ZWICKER, COUNCIL ADOPT THE ORDINANCE AS READ. ROLL CALL. ALL AYES. CARRIED.

**EXECUTIVE SESSION
AND ADJOURNMENT**

MOVED BY PALMER, SECONDED BY PERSSON, COUNCIL RECESS INTO EXECUTIVE SESSION FOR APPROXIMATELY 30 MINUTES TO DISCUSS LITIGATION WITH NO OFFICIAL ACTION TO BE TAKEN AND THAT THE COUNCIL MEETING BE ADJOURNED WHEN THE EXECUTIVE SESSION IS ADJOURNED. CARRIED. Time: 8:59 p.m.

Executive session was conducted. There was no action taken. The executive session and the Council meeting adjourned at 9:25 p.m.

Bonnie I. Walton, CMC, City Clerk

Recorder: Jason Seth
July 14, 2008